

MAY 13 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jason T. Sterne et al.

For : *TIMING REFERENCE FOR SCHEDULING
DATA TRAFFIC ON MULTIPLE PORTS*

Reissue Application No.: 09/679,192

Filed: : October 5, 2000

Examiner : K. Vanderpuye

Art Unit : 2661

Our File : 93698-US

May 12, 2004

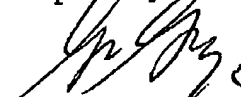
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U. S. A.

Sir:

This is in reply to the Examiner's correspondence of March 12, 2004 written in connection with the above-identified application. In accordance with the Examiner's requirement we submit herewith an oath and declaration which shows the residence of David Carr. Further, we enclose a written consent of the assignee signed by VP and General Counsel of Alcatel Canada Inc. Because the original Statement Under 37 CFR 3.73(b) was signed by a different officer of the company we submit herewith a fresh Statement Under 37 CFR 3.73(b) signed by the same officer as the consent.

If the Examiner requires anything further in order to pass this reissue application to allowance he is respectfully requested to contact the undersigned.

Respectfully submitted,

George M. MacGregor, Reg. No. 37,547
Marks & Clerk
P.O. Box 957, Station B
280 Slater Street, Suite 1800
Ottawa, Ontario, Canada
K1P 1C2Telephone No.: (613) 236.9561
Facsimile No.: (613) 230-8821

MAY 13 2004

OFFICIAL

PTO/SB/51 (12-87)
Approved for use through 8/30/00. OMB 0651-0033
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

93698-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,818,839, granted October 6, 1998, and for which a

reissue patent is sought on the invention entitled ~~TIMING REFERENCE FOR SCHEDULING DATA-TRAFFIC ON MULTIPLE PORTS~~

the specification of which

☐ is attached hereto.

☒ was filed on October 5, 2000 as reissue application number 09 / 679,192
and was amended on _____
(if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☒ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

The specification in the issued patent is defective at column 3, line 1 in that a cell is transmitted from the VC which is scheduled at that time and the statement "that VC is rescheduled for a later time slot in the calendar" is in error.

Additionally the patentee claimed less than he had the right to claim in the patent.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/51 (12-97)

Approved for use through 9/30/00. OMB 0651-0033
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) 93698-US	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
George M. MacGregor		37,547	
Richard Mitchell		34,519	
Correspondence Address: Direct all communications about the application to:			
<input type="checkbox"/> Customer Number		→ Place Customer Number Bar Code Label here	
OR		Type Customer Number here	
<input type="checkbox"/> Firm or Individual Name	Marks & Clerk		
Address	P.O. Box 957		
Address			
City	Ottawa	State	Ontario ZIP K1P 5S7
Country	Canada		
Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
Jason T. Sterne			
Inventor's signature			
Residence		Date	
123 Young St., Ottawa		Jan 16, 2001	
Post Office Address		Citizenship	
K1Y 3P8		Canadian	
Full name of second joint inventor (given name, family name)			
David W. Carr			
Inventor's signature			
Residence		Date	
16 Sarrazin Way, NEPEAN		Jan 9, 2001	
Post Office Address		Citizenship	
16 SARRAZIN WAY NEPEAN ON K2S 3Z5 CANADA		CANADIAN	
Full name of third joint inventor (given name, family name)			
Joey M.H. Chow			
Inventor's signature			
Residence		Date	
10 ELMBANK CRES.		Jan 18, 2001	
Post Office Address		Citizenship	
NEPEAN, ON, K2G 3P6.		CANADIAN	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

[Page 2 of 2]

PTO/SB/53 (05-03)

Approved for use through 01/31/2004. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) 93698-US
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) Alcatel Canada Inc.		
Patent Number 5,818,839	Date Patent Issued October 6, 1998	
Title of Invention TIMING REFERENCE FOR SCHEDULING DATA TRAFFIC ON MULTIPLE PORTS		
1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)		
<input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.		
One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".		
The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.		
The assignee(s) owning an undivided interest in said original patent is/are <u>Alcatel Canada Inc.</u> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned)		
Signature 	Date May 3, 2004	
Typed or printed name and title of person signing for assignee (if assigned) David Wilson VP + General Counsel		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/96 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Jason STERNE, et al.Application No./Patent No.: 08/884,625 Filed/Issue Date: 27 June 1997Entitled: TIMING REFERENCE FOR SCHEDULING DATA TRAFFIC ON MULTIPLE PORTSAlcatel Canada Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded
in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is
attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown
below:

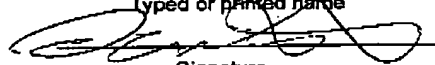
1. From: Inventors To: Newbridge Networks Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 8730, Frame 0243, or for which a copy thereof is attached.
2. From: Newbridge Networks Corporation To: Alcatel Networks Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: Alcatel Networks Corporation To: Alcatel Canada Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)
must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be
recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 3, 2004
Date
613-784-6310
Telephone number

David Wilson
Typed or printed name

Signature
VP - General Counsel
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.